

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2008-337-T - ORDER NO. 2008-793
NOVEMBER 18, 2008

IN RE:	Petition for Rule to Show Cause of the Office)	ORDER REVOKING
	of Regulatory Staff to Revoke the Certificates)	CERTIFICATES
	of Public Convenience and Necessity of)	
	Certain Motor Carriers for Failure to Maintain)	
	and File Evidence of Insurance)	
)	

This matter comes before the Public Service Commission of South Carolina (“the Commission”) by way of the Petition of the Office of Regulatory Staff (“ORS”) to revoke Certificates of Public Convenience and Necessity of certain motor carriers for their failure to maintain and file evidence of insurance. ORS's Petition was filed with the Commission on August 26, 2008. As set forth in S.C. Code Ann. §58-23-910 (Supp. 2007) and 26 S.C. Code Regs. 103-171 (Supp. 2007), the Commission requires motor carriers certificated in the State of South Carolina to procure and file with the Commission proper proof of insurance and that insurance must be kept in full force and effect. The “failure to do so is cause for the revocation of the certificate.” S.C. Code Ann. §58-23-910 (Supp. 2007).

The ORS developed a list of the motor carriers operating in violation of the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law in respect of failure to file proper evidence of insurance and such list was attached as Exhibit A to

ORS's Petition. At the hearing on this matter, held on November 12, 2008, the ORS submitted into evidence a revised list of those carriers which are a party to this action.

The Commission issued a Notice of Hearing setting this matter for hearing on November 12, 2008, at 2:45 p.m. A formal hearing regarding this matter was held at the Commission offices on Wednesday, November 12, 2008, at 2:45 p.m. ORS was represented by Jeffrey M. Nelson, Esquire. Ms. Carole Chauvin, the Records Custodian of ORS's Transportation Department, testified for the ORS.

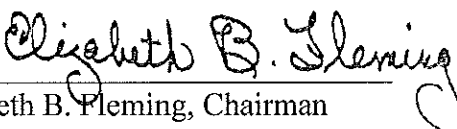
At the hearing, Ms. Chauvin presented testimony that certain companies certificated by the Commission to provide motor carrier services have failed to file or maintain evidence of insurance as of August 20, 2008, as required by S.C. Code Ann. §58-23-910 (Supp. 2007). Further, Ms. Chauvin testified that since that date, additional companies have come into compliance with the Commission's rules and regulations or have already had their certificates revoked by the Commission for other reasons. At the hearing, ORS submitted an updated revised Exhibit A listing those companies currently certificated by the Commission which remained out of compliance. Additionally, the ORS stated in its Petition, and Ms. Chauvin testified, that the ORS notified the companies via certified mail of their failure to file the required proof of insurance.

The Commission finds that the Certificates of Public Convenience and Necessity held by the carriers which are the subject of this petition (attached as an Appendix to this Order) should be revoked and cancelled for their continued willful violation of the Commission's Rules and Regulations and/or the South Carolina Vehicle Carrier Law.

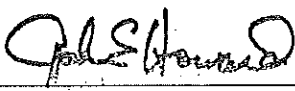
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

1. That the Certificates of Public Convenience and Necessity held by those motor vehicle carriers listed in the Appendix attached hereto be, and hereby are, revoked and cancelled.
2. That all operating rights authorized under the Certificates held by the carriers listed in the attached Appendix and cancelled by this Order are null and void.
3. That this petition be, and hereby is, dismissed with respect to all carriers who have complied with the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law.
4. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:


John E. Howard, Vice Chairman
(SEAL)

Appendix
Docket No. 2008-337-T
Order No. 2008-793
November 18, 2008

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